



GP 1806

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

SMITH, Craig A. et al.

Attorney Docket No.: 2503

Group Art Unit: 1806

Serial No.: 07/946,236

Examiner: T. Nisbet

Date Filed: 9/15/92

For: METHOD OF TREATING TNF-DEPENDENT  
INFLAMMATION USING TUMOR NECROSIS  
FACTOR ANTAGONISTS

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supp  
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ELECTION OF INVENTION

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

In response to the Restriction Requirement mailed July 27, 1993 in connection with the above-identified application, please consider the following comments.

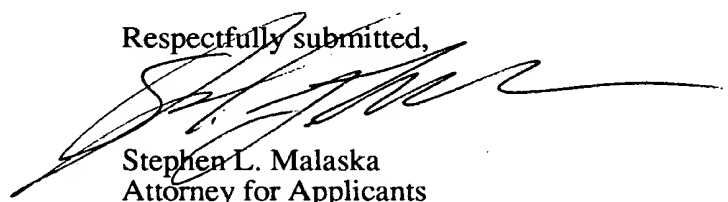
Applicants elect, with traverse, Group I, claims 1-6 and 8-9.

In the Action, the Patent Office alleges that "[i]t has been shown that the administration of two *cytokines* together often results in a synergistic effect on the target disease or cell line."

At the outset, applicants note that neither TNF receptor ("TNFR") nor IL-1 receptor ("IL-1R") are *cytokines*. The molecules are cytokine *receptors*. Therefore, the statement that these molecules are "two cytokines" is in error. Furthermore, the description of claim 7 of Group II is erroneous. TNFR and IL-1R are not receptor *antagonists*.

Applicants submit that this information may change the basis for the restriction and requests reconsideration and withdrawal thereof.

Respectfully submitted,

  
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date indicated below.

Date: 8/10/93

Signed: Joanne C. Stetler